

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

EFS&T Department – Departmental Proceedings initiated against Sri Ch. Nagabhushanam, the then ACF, Sri G. Venkateswara Rao, the then FRO and Sri K. Ramakonda Reddy, the then FRO, Atmakur of SPSR Nellore Division under Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991 – Further action dropped – Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.MS.No. 41

Dated: 08-07-2021
Read the following:

- 1) From the PCCF (HoFF), A.P., Guntur, Lr. Rc.No.7127/2016/A&DC-2, dt.15.11.2018.
- 2) Memo.No.5256/Sec.IV/A1/2018-1, EFS&T (Sec.IV) Dept., dated:30.01.2019.
- 3) From the PCCF (HoFF), A.P., Guntur, Lr.Rc.No.7127/2016/A&DC-2, dated 08.08.2019.
- 4) Memo.No.EFS01-FRST0FVIG/66/2019-SEC-IV, EFS&T (Sec.IV) Dept., dated 19.11.2019.
- 5) From the PCCF (HoFF) Lr., Rc.No.7127/2016/A&DC-2, dt.20.12.2020.

ORDER:

In the letter 1st read above, the Principal Chief Conservator of Forests & HoFF has reported that Article of Charges were issued to Sri Ch. Nagabhushanam, the then Asst. Conservator of Forests, Kavali of Nellore Division, Sri K. Ramakonda Reddy, FRO, Atmakur of SPSR Nellore Division and Sri G. Venkateswara Rao, the then FRO, Udayagiri of SPSR Nellore Division by the Principal Chief Conservator of Forests (HoFF), A.P. vide Ref.No.7127/2016/Vig-1(i)(ii) & (iii), dt.18.01.2017 respectively under Rule 20 of the A.P.C.S.(CC&A) Rules 1991 on the following counts:-

Sl. No.	Name and designation	Article of Charge
1.	Sri Ch. Nagabhushanam, the then Asst. Conservator of Forests, Kavali of Nellore Division	<u>Article-I:</u>"That said Sri Ch. Nagabhushanam, ACF while working as in-charge Divisional Forest Officer (FAC) has committed irregularities in the works digging of Peripheral Trenches along the boundary of RF in Red Sanders areas carried out through the department / VSS method in Udayagiri and Atmakur Ranges of Nellore (T) Division in the Month of September 2015 and without getting prior approval from the competent authority for going a head the works with department/VSS method and violated the instructions of Government of AP in G.O.Ms.No.94, I&CAD Dept., dt.01.07.2013 and also violated Rule 3(5) of Andhra Pradesh Civil Service (Conduct) Rules 1964". <u>Article-II:</u> "That said Sri Ch. Nagabhushanam, ACF, Kavali while working as Divisional Forest Officer has allowed the Forest Range Officer to execute the work of digging of peripheral trench along the boundary of RF in Red sanders areas without getting the estimates sectioned having approved rate for digging of peripheral trench from the competent authority under department/VSS method and violated the Codal

		provisions of Article 3 and 38 of A.P. Financial Code and Section 99 of Forest department Code".
2.	Sri K. Ramakonda Reddy, FRO, Atmakur of SPSR Nellore Division	<u>Article-I:</u> " That said Sri K.Ramakonda Reddy, Forest Range Officer, Atmakur has committed irregularities in the works digging of Peripheral Trenches along the boundary of RF in Red Sanders areas carried out through the department / VSS method in Atmakur Range of Nellore (T) Division in the month of September 2015 without getting prior approval from the competent authority for going ahead the works with department/VSS method and violated the instructions of Government of AP in G.O.Ms.No.94, I&CAD Dept., dt.01.07.2013 and also violated Rule 3(5) of Andhra Pradesh Civil Service(Conduct) Rule1964 ". <u>Article-II:</u> "That said Sri K.Ramakonda Reddy, Forest Range Officer, Atmakur has executed the work of digging of peripheral trench along the boundary of RF in Red sanders areas without getting the estimates sanctioned having approved rate for digging of peripheral trench from the competent authority under department/VSS method and violated the Codal provisions of Article 3 and 38 of A.P. Financial Code and Section 99 of Forest Department Code".
3.	Sri G. Venkateswara Rao, the then FRO, Udayagiri of SPSR Nellore Division	<u>Article-I:</u>"That said Sri G. Venkateswara Rao, Forest Range Officer, Udayagiri working in Udayagiri has committed irregularities in the works of digging of Peripheral Trenches along the boundary of RF in Red Sanders areas carried out through the Department / VSS method in the Udayagiri Range of Nellore(T) Division in the month of September 2015 without getting prior approval from the competent authority for going ahead works with department/VSS method and violated the instructions of Government of A.P., in G.O.Ms.No.94, I&CAD Dept., dt.01.07.2013 and also violated Rule 3(5) of Andhra Pradesh Civil Service (Conduct) Rules 1964 ". <u>Article-II:</u> "That said Sri G. Venkateswara Rao, Forest Range Officer, Udayagiri has executed the work of digging of peripheral trench along the boundary of RF in Red sanders areas without getting the estimates sanctioned having approved rate for digging of peripheral trench from the competent authority under department/VSS method and violated the Codal provisions of Article 3 and 38 of A.P. Financial Code and Section 99 of Forest Department Code".

2. The (3) Charged Officers have acknowledged the Article of Charges on 15.02.2017, 22.02.2017 and 22.02.2017 respectively. The Principal Chief Conservator of Forests (HoFF), A.P., Guntur has appointed, the Chief Conservator of Forests, Guntur, as common Inquiry Officer and the Divisional Forest Officer, Nellore as Common Presenting Officer vide Proc.No.7127/2016/Vig-1(i) (ii) dt.29.06.2017 for conducting regular

enquiry. The Charged Officer Sri Ch. Nagabhushanam, the then ACF Kavali of Nellore Division has submitted his explanation on 28.08.2017. Sri K. Ramakonda Reddy, FRO, Atmakur of SPSR Nellore Division has not submitted his explanation and Sri G. Venkateswara Rao, the then FRO, Udayagiri of SPSR Nellore Division has submitted his explanation dated Nil (received on 25.05.2018), after appointment of Inquiry Officer & Presenting Officer.

3. The Inquiry Officer (i.e., CCF/CF., Guntur Circle,) has submitted the findings vide Rc.No.1741/2016/M3, dt.31.07.2018, in which he concluded as follows:-

Findings in respect of Sri Ch. Nagabhushanam, the then ACF Kavali:

"As per documentary evidences produced before me, it is concluded that the Government fixed the rate of Rs.40.10 per Cmt for excavation of PPT vide G.O.Ms.No.61 EFS&T (Section-II) Dept., dt.06.07.2015. The APCCF, Guntur vide Rc.no.1364/2015/TO, dt.01.09.2015 gave instructions that the works where the contractors are not coming forward, the Divisional Forest Officer, Nellore may take up these works through VSS. **Hence it is proved beyond any reasonable doubt that the Charged Officer had carried out the above PPT works as per the instructions of his Superior Officers only. Hence this charge is not proved.**

Regarding second charge, the Charged Officer namely Sri Ch. Nagabhushanam while he was working as in-charge Divisional Forest Officer, Nellore submitted a letter to the APCCF / CF, Guntur with a request to clarify the rate per cmt to be adopted for execution of PPT works through department /VSS method vide Lr.No.1370/2015/F11, dt.21.09.2015. He allowed the FROs Udayagiri and Atmakur executing the PPT works as per the instructions of his Superior Officers without sanctioned estimates for want of clarification regarding rate to be adopted. Otherwise the estimates were submitted prior to commencement of works by the FROs. Finally all the amounts are paid Rs.23.42 per cmt as per the instructions of the PCCF, AP, Guntur vide Rc.No.6574/2015/NC-2, dt.10.02.2018 to an amount of Rs.7,13,394/- in Atmakur Range and amount of Rs.13,07,915/- in case of Udayagiri range. **Hence, this charge is also not proved against the Charged Officer.**

Findings in respect of Sri G. Venkateswara Rao, the then FRO, Udayagiri and Sri K. Ramakonda Reddy, FRO, Atmakur of SPSR Nellore Division:

Further, the FROs Udayagiri and Atmakur executed the PPT works as per the Government fixed rate of Rs.40.10 per Cmt vide G.O.Ms.No.61 EFS&T (Section-II) Dept., dt.06.07.2015. Their superior Officers i.e., DFO, Nellore and the APCCF, Guntur gave instructions to execute the works through VSS where the contractors are not coming forward. There is no fault on the part of the Charged Officers that they have taken up the works through department/VSS as they have taken up based on the instructions of their superior officers vide Rc.No.1364/2015/TO, dt.01.09.2015 from the APCCF, Guntur. **Hence this charge is not proved against the Charged Officers.**

Regarding the Second charge also the Charged Officers have submitted estimates before commencement of the works. The sanctioning authority i.e., the DFO, Nellore submitted a letter vide

Lr.No.1370/2015/F11, dt.21.09.2015 for clarification regarding the rate to be adopted for the PPT works to be carried out through VSS. Hence the estimates were not sanctioned for want of clarification. Finally it is clarified vide PCCF, AP, Guntur Rc.No.6574/2015/NC-2, dt.10.02.2018 to adopt a rate of Rs.23.42 per cmt. Further it is concluded that the entire due amount of Rs.7,13,394/- in Atmakur range and amount of Rs.13,07,915/- in case of Udayagiri Range has been paid to the VSS. Hence there is no loss to the Government.
Hence these charges are also not proved".

4. After careful examination of the matter, Government have decided to drop further action against on all the Charged Officers viz. Sri Ch. Nagabhushanam, the then ACF, Sri G. Venkateswara Rao, the then FRO and Sri K. Ramakonda Reddy, the then FRO, Atmakur of SPSR Nellore Division, as charges against them are held not proved. Accordingly, Government hereby drop further action against Sri Ch. Nagabhushanam, the then ACF, Sri G. Venkateswara Rao, the then FRO and Sri K. Ramakonda Reddy, the then FRO, Atmakur of SPSR Nellore Division.

5. The Principal Chief Conservator of Forests, A.P., Guntur shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**VIJAY KUMAR G.Srkr
SECRETARY TO GOVERNMENT**

To
The Principal Chief Conservator of Forests & HoFF, A.P., Guntur.
Copy to
Individuals (through Principal Chief Conservator of Forests & HoFF)
Sf/Sc (Computer No.1004481)

//FORWARDED :: BY ORDER//

SECTION OFFICER